

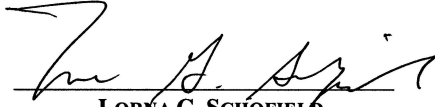
Defendant New York Cremeria, Inc. shall file a response to the alleged misrepresentation and request for sanctions, not to exceed three pages, by **December 2, 2022**. So Ordered.

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Dated: November 30, 2022
New York, New York

November 28, 2022



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *Ashley Francis v. Ludlow Street Development, LLC and New York Cremeria, Inc.*

Docket No. 1:22-cv-06578 (LGS)(RWL)

Dear Judge Schofield:

We represent the plaintiff in the above-entitled action. Because counsel for the defendant New York Cremeria, Inc. ("Defendant") has incredibly submitted a stipulation that plaintiff did not sign as well as falsely represented that plaintiff consents to their application, Plaintiff writes to oppose the application to vacate the default.

Defendant filed a stipulation with the Court (ECF Document #28) that contains /s signature for plaintiff. But plaintiff rejected this stipulation and never signed it. Defense counsel's filing of this stipulation with plaintiff's signature (/s signature) is an outrageous misrepresentation to the Court and should be sanctioned.

On November 23, 2022, Defense counsel requested an extension of time "to Answer the Complaint" and sent the stipulation to plaintiff's counsel with the plaintiff's "/s" signature. See Attached. That same day, plaintiff responded and revised the stipulation to clarify that it is an extension of time to Answer the Complaint but not an extension of time to "reply or otherwise respond to plaintiff's complaint". Plaintiff provided the revised stipulation along with the email explanation on November 23, 2022. *Id.*

Defense counsel did not respond to plaintiff's email or stipulation and instead filed the stipulation that plaintiff did not accept or agree to. To be clear, plaintiff consented to an extension of time for the Defendant to answer the complaint but not for the Defendant to make a motion against the complaint which would unnecessarily delay the prosecution of this action.

Thank you for your time and attention to this matter. With kindest regards, I am

very truly yours,

/s/

Glen H. Parker, Esq.